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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 v.

12 RAHSAAN TAHID MOORE,

13 Defendant.

NO. CR06-262RSL

ORDER DENYING MOTION FOR
RECONSIDERATION

14 This matter comes before the Court on defendant Rahsaan Moore's letter regarding the
15 Court's denial of his recent request to modify his sentence. Dkt. #61. Defendant sent this letter
16 directly to chambers, and the Court subsequently filed it on the docket, construing the letter as a
17 motion for reconsideration.

18 Defendant originally requested that he be allowed twelve months in community
19 confinement. Dkt. #58. The Court issued an order stating that, despite its recommendation that
20 defendant "receive the maximum time of community confinement allowed," Dkt. #57 at 3, it has
21 no authority to *order* the Bureau of Prisons to alter the conditions of defendant's confinement.
22 Dkt. #60 at 1. The Court informed defendant that in order to challenge the manner and
23 conditions of his confinement, he must first exhaust all administrative remedies and then file a
24 habeas petition in the District of Oregon. Id. The Court also stated that it lacks jurisdiction to
25 amend its judgment to mandate that defendant receive twelve months in community
26 confinement. Id. at 2.

27 ORDER DENYING MOTION FOR
28 RECONSIDERATION - 1

1 Defendant's letter seeks to educate the Court on the challenges he faces in securing
2 additional community confinement time and requests revision to his sentence. Defendant states
3 that he "received notice there was a hearing to determine modification of my judgment," but that
4 there was no revision of his sentence. Dkt. #61. However, no formal hearing was held. Instead,
5 the Court reviewed defendant's letter, the underlying judgment, the government's brief, and the
6 applicable law to determine that the Court had no authority or jurisdiction to modify defendant's
7 sentence. Defendant now seeks "any resolution ideas" from the Court, "such as another
8 sentencing revision with home confinement." Id. But, as indicated in the Court's prior order,
9 the Court could not grant defendant's request if it wanted to, as it has no authority to revise his
10 sentence in any manner. Defendant's only recourse is to file a habeas petition in the District of
11 Oregon, not this Court, upon exhausting his administrative remedies.

12 For the foregoing reasons, defendant's motion for reconsideration (Dkt. #61) is DENIED.
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14 DATED this 26th day of June, 2009.
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21 Robert S. Lasnik
22 United States District Judge
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